Writ Petition No. 786 (M/B) of 2001

Hemwati Nandan Bahuguna,
Garhwal University through
its Registrar …….. Petitioner

Vs.

State of Uttaranchal
and another. …….. Respondents

……..

Hon. P.C. Verma, J.
Hon. M.C. Jain, J.

The petitioner University has filed this writ petition seeking a writ of mandamus commanding the respondents to handover the possession of the land of the petitioner occupied by the unauthorised occupants, to the petitioner after getting it vacated from unauthorised occupants.

It is alleged that the land was acquired for the use of the University by the erstwhile State of U.P. in the year 1996 and the land stood vested with the University in accordance with section 6 of the Land Acquisition Act free from all encumbrances and, therefore, the petitioner ought to have been handed over possession of the land in dispute. It is further submitted that only correspondence relating to unauthorised occupants has taken place, put the University has not yet been given possession.

Under these circumstances, we direct the State Government of Uttaranchal to expedite the proceedings relating to eviction of the unauthorised occupants who are occupying the land acquired for the purposes of University relating to plot nos. 570, 572, 683, 711, 721, 550, 542 and 623 situated in Mauza Marhii Patti Chauras, Tahsil Devprayag, Tehri Garhwal, and handover peaceful possession to the petitioner within a period of six months from to-day.

With the aforesaid observations, the writ petition is disposed of.

(P.C. Verma, J.) **(M.C. Jain, J.)**

Dt. 07.09.2001
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